UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

4 LANI HAYES, et al.,

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Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 5:16-cv-04808-EJD

ORDER TO SHOW CAUSE

On August 26, 2016, Defendant Wells Fargo Bank, N.A. filed a motion to dismiss the Complaint filed by Plaintiffs Lani Hayes and Lonzell Hayes ("Plaintiffs"). Dkt. No. 11. Pursuant to Civil Local Rule 7-3, Plaintiffs were required to file a response to the motion no later than September 9, 2016. To date, Plaintiffs have not filed a response and their attorneys have moved to withdraw because Plaintiffs have failed to communicate.

Accordingly, the court hereby issues an order to show cause why this action should not be dismissed for failure to prosecute. If Plaintiffs do not, by **December 9, 2016**, file a document which demonstrates good cause why this case should not be dismissed, the court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the order to show cause unless otherwise ordered by the court.

Plaintiffs' counsel shall forthwith serve a copy of this order on Plaintiffs at their last known physical address and e-mail address, and shall file a Certificate of Service demonstrating that such service has been completed no later than **November 23, 2016.**

IT IS SO ORDERED.

Dated: November 18, 2016

EDWARD J. DAVILA United States District Judge

Case No.: <u>5:16-cv-04808-EJD</u> ORDER TO SHOW CAUSE

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